

To my knowledge...It is my understanding

It is my understanding from testimony in committee

I think this bill will increase turnout among ALL voters

What my constituents tell me...What I do know...Pu

This is a narrowly designed bill that says you must prove who you say you are by presenting a specific photo ID when showing up at the polls to cast your vote.

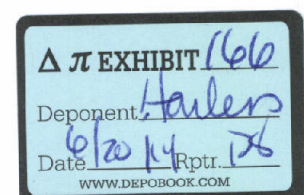
This bill is not about citizenship, language, immigration, it is about preserving and protecting the integrity of our election process by showing a photo ID when voting in person

Restores integrity in our election process & returns public confidence that their vote counts

It will help to deter & detect in person voter fraud & modernize the election process

The heart & soul of our republic is the election process. It determines the people who will make decisions which will affect our everyday life

One person one Vote, Duty to protect against fraud,
Numerous voter polls in the last several years have show
overwhelming majority of Texans support showing a Photo ID
before casting a vote



VOTER ID BILL SUMMARY

- CSSB 14 requires voters to provide one of six acceptable photo IDs on election day.
- Exceptions:
 - People 70 or older as of 1/1/2012, may continue to vote with just their voter registration card.
 - Indigent people and people with religious objection to being photographed may cast a provisional ballot on election day and return to the registrar within 6 days to sign an affidavit confirming their exempt status (*Sen. Duncan floor amend*).
 - Voters who are disabled and have provided written documentation from the Social Security Administration or Veteran's Affairs Department verifying they are receiving benefits due to disability, and voter does not have another acceptable form of photo id for voting (*strengthened Sen. Patrick floor amend*).
- Acceptable photo ID includes:
 - TX DL (current or expired no more than 60 days)
 - ID card issued by DPS (current or expired no more than 60 days) - *provided free if requested by a voter and voter does not have another acceptable form of photo id for voting*
 - Military ID (current or expired no more than 60 days)
 - US passport (current or expired no more than 60 days)
 - US citizenship certificate with photo
 - CHL (current or expired no more than 60 days)
- The name on the ID must be "substantially similar" to the name on the voter list (*Sen. Davis floor amend*).
- If a person does not have acceptable ID on election day, they may cast a provisional ballot and return to the voter registrar within six days with acceptable ID and have their ballot counted.
- All election workers must be trained in the new ID requirements. The SOS and counties must provide education and notice in multiple languages to voters, including signs at polling places, written notice included with registration cards, written notice to voters attempting to use unacceptable ID, educational materials on the SOS website, and a statewide education campaign organized by the SOS.
- The criminal penalty for voting fraudulently is increased from a third degree felony (2-10yrs) to a second degree felony (2-20yrs), and the penalty for attempting to fraudulently vote is increased from a Class A misdemeanor (180days max county jail) to a state jail felony (180days-2yrs state jail).
- Changes in CSSB 14 from Senate Version:
 - Disability exemption tightened, must provided written documentation from the Social Security Administration or Veteran's Affairs Department verifying they are receiving benefits due to disability, and voter does not have another acceptable form of photo id for voting.
 - CHL IDs no more than 60 days expired are acceptable, makes consistent with other forms of acceptable ID in bill.
 - Must not have other forms of acceptable ID to get a free DPS ID.
 - Removes Senate floor amendment rendering the bill ineffective if the bill is determined to make an appropriation.
 - Legislative Council technical changes.

Impact on Voters

Does this bill reduce minority turnout?

I think the bill will increase turnout among all voters. In fact in Georgia and Indiana, turnout was up in the election immediately following the implementation of Photo ID.

Does this bill discriminate against the elderly and disabled?

The bill provides exemptions for the disabled or those 70 or over as of 1/1/2012. In addition, voters who are disabled or 65 and older are still able to vote by mail.

Exemptions

Why is there an exemption for the elderly?

In my opinion, and with no disrespect to my active friends that are in their 70s, 80s and 90s, this is considered a time when people become less active... ~~There was testimony in the senate that this was added for a couple Democratic senators~~

Does the elderly exemption provide for two classes of voters?

I believe that there is a legitimate state interest in exempting certain elderly voters from the requirements of Photo ID just like we allow certain classes of voters to vote by mail.

Disability Exemption?

Must have a letter from the Social Security department verifying that you are receiving benefits because you are disabled. Also can have a letter from Veteran's Department verifying you are 50% disabled.

Senator Patrick's amendment, ~~I worked with Advocacy Inc. and interested parties to tighten the exemptions language.~~

Indigent and Religious Exemption?

Senator Duncan floor amendment which mirrors language in Indiana's law, which was upheld by the Supreme Court.

Fraud/Election Integrity

How do you know there is fraud occurring?

Under current law, we do not have the tools necessary to stop in-person voter fraud. In fact, in-person voter fraud may not even be evident until AFTER the election has occurred. Also, we have heard from many witnesses over the last couple of sessions who have testified that voter impersonation, in which people's IDs or voter-registration cards have been stolen and false votes had been cast in those persons' names, is not uncommon.

Voter Fraud?

Almost impossible to detect and prosecute under current laws. Numerous media stories the voter fraud is a problem.

ID Forms

Does this bill provide for free ID?

Yes, DPS must provide a free id to registered voters, who do not already have an acceptable form of identification.

Do we know the number of people on the voter registration roll that do not have a DL or SSN?

I am convinced that voters will have access to proper ID. Testimony in committee showed... refer to email from SOS. *See Secretary of State's letter*

Why only ^{6/5} ~~six~~ forms of ID?

It is less confusing and simpler for both voters and election workers. There is a standardization of the forms of ID.

Student ID's? What about accepting out of state driver's licenses?

We believe the ~~5~~ types of Photo ID's we are offering are more uniform and less confusing. These documents have standardization of form.

They are simpler for the voters and election poll workers to recognize.

How to get a voter ID if you live a long distance to drive to get a TDL?

15 Million TDL 750,000 ID's. Very small number and ~~the mail in ballot is still available.~~

Preclearance / Constitutionality

Preclearance / Section 5 Questions?

We are a Section 5 Voter rights state (like Georgia) and we are subject to those Rules. SB 14 is similar to Georgia's photo id law which was approved by the US Department of Justice, and Indiana's photo id law which was upheld by the Supreme Court.

Isn't this bill unconstitutional? More restrictive than Indiana's Law?

It is my belief that SB 14 is constitutional. We are offering a bill that is in compliance with the US Supreme Court decision which upheld the Indiana Voter ID legislation because, it deters and detects fraud, it protects public confidence in elections, it counts only eligible voters' votes. Furthermore, although voter ID laws in other states have been heavily litigated, plaintiffs have been unable to produce a single individual who either did not have an ID or could not easily find one.

Plus, it complies with the Supreme Court decision because it offsets the new requirements on voters by:

- Providing access to free photo ID cards
- Allowing for provisional ballots and absentee ballots
- Ensuring that obtaining photo ID is no more burdensome or inconvenient than the usual act of voting
- Provides exceptions for elderly, disabled, or indigent voters

Case History

Georgia ID Law - Specific types of ID

4 years of court cases

1/09 11th Circuit Court of Appeal

6/09 US Supreme Court Denied

3/11 Georgia Supreme Court upheld

Indiana ID Law - Any form of ID that meets certain requirements

4/08 US Supreme Court upheld Indiana Law

Miscellaneous

How will the training/education program work?

Those decisions will be made by the SOS office. This type of training is something they currently do.

6 Day cure for a provisional ballot?

Georgia 2 days, Indiana 10 days, TEXAS 6 Days

For cure they must provide an acceptable photo ID and their ballot will be counted

Same Day Registration?

Bill does not provide for same day registration

*Not a proper
forum
for this
Debate*

Birth Certificate?

Current Photo ID

Picture on Voter Registration Certification, is that a better solution?

This proposal has been discussed, and I believe legislation has been filed addressing this.

Testimony Not equipment at County level to do this - Expenses to enact

Vote saving affidavit to protect disenfranchised voters without photo id?

I believe the bill provides the necessary protections for voters who are unable to obtain a photo identification. Anyone could forge a signature, vote, and leave undetected. ~~There is no way to trace the forgery back to the person.~~

This Difficult to trace

What purpose does the voter certificate now serve with the bill? Isn't it unnecessary?

The voter certificate will continue to be an acceptable form of ID for voters over 70 ...Also spells out persons precinct, which is helpful when voting on election day

If I am on the voter registration rolls and have a photo ID do I need a photo voter ID Card?

No

Types of education to be done?

The bill provides for extensive voter and poll worker education. SOS testimony in committee was that they will update their online training materials to assist with educating poll workers on the new requirements.

Increasing discretion for poll workers?

Already poll worker discretion, see Election Code Section 63.0101 - entitled "Documentation of Proof of ID"